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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91188993
Party	Defendant AFP Imaging Corporation
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Submission	Opposition/Response to Motion
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Date	12/03/2009
Attachments	opp to motion for ext.pdf (3 pages)(318277 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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ROLEX WATCH U.S.A., INC.	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91188993
	:	Serial No. 77/492,131
AFP IMAGING CORPORATION	:	
	:	
Applicant.	:	
-----X	X	

**OPPOSITION OF APPLICANT AFP IMAGING CORPORATION
TO OPPOSER’S MOTION FOR AN EXTENSION OF TIME**

Applicant, by its attorneys, hereby opposes Opposer Rolex Watch U.S.A., Inc.’s (“Opposer”) Motion For An Extension Of Time, filed on November 25, 2009.

Discovery is currently set to close on January 1, 2010. In its motion, Opposer contends that an extension of the deadline for exchange of expert disclosures and of the deadline for close of the discovery period is needed so that Opposer will have the opportunity to retain an expert and/or take additional discovery of Applicant after a discovery deposition currently scheduled for December 15, 2009. Opposer further asserts that because the Christmas/New Year’s holiday period begins shortly after the scheduled December 15, 2009 deposition, Opposer should be granted an extension of time to allow for the orderly completion of discovery after the holiday season ends.

Opposer fails to mention that Applicant has previously consented to two 30 day extensions of time. Opposer already has had 8 months to schedule discovery. Opposer cannot now use the holiday season as a reason for its request for an extension of time. Opposer’s

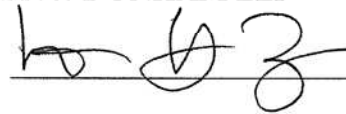
request for an extension of the deadline for exchange of expert disclosures and of the deadline for close of the discovery period is therefore unwarranted. Opposer should proceed and complete any additional discovery prior to the January 1, 2010 close of discovery.

Accordingly, Opposer's motion for an extension of time should be denied.

Respectfully,

COOPER & DUNHAM LLP

By:

A handwritten signature in black ink, appearing to be 'N. Zivin', written over a horizontal line.

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AFP IMAGING CORPORATION

Dated: December 3, 2009

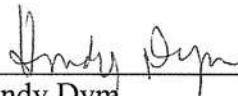
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing
OPPOSITION OF APPLICANT AFP IMAGING CORPORATION TO OPPOSER'S MOTION
FOR AN EXTENSION OF TIME was served on this 3rd day of December, 2009, by first class
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